

VZCZCXRO1735

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DE RUEHSL #0243/01 1561342
ZNR UUUUU ZZH
R 051342Z JUN 09
FM AMEMBASSY BRATISLAVA
TO RUEHC/SECSTATE WASHDC 2528
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE

UNCLAS SECTION 01 OF 02 BRATISLAVA 000243

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SUBJECT: KOSICE TORTURE CASE: INVESTIGATION CONTINUES

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[1](#)1. Summary: We met recently with the Slovak Police and the General Prosecutor's Office for an official update on the police actions in response to the flagrant human rights abuses by the Kosice police involved in the torture of six Roma children in March. According to the police, the six culpable policemen have all been fired, and the General Prosecutor's office is still collecting evidence for their criminal prosecution. Human rights activists remain skeptical of the police efforts. End summary.

Prosecution of Police

[1](#)2. On June 2, we met with Josef Centes, Deputy Director of the Criminal Law section of the General Prosecutor's Office, who conveyed the importance the General Prosecutor places on a thorough investigation of this case. He said a special police unit from Banska Bystrica is now collecting evidence against the six accused policemen. Centes said he believes the unit from Banska Bystrica will operate with greater impartiality, especially with witness interrogation (Banska Bystrica is approximately 200 km from Kosice). Centes also said that it is possible that even more perpetrators will be charged in the future.

[1](#)3. On May 14, the First Vice President of the Police Corps, Michal Kopcik, had given us an overview of police actions in response to the Kosice torture case (reftels). Kopcik said that he was quite aware of the international community's interest in the case, and said he would provide us with the same update that was given to the UN Human Rights Council during Slovakia's Universal Periodic Review. Kopcik said that as soon as the police leadership learned of the case on April 7, nine policemen were immediately suspended from duty and deprived of their rank. On April 8, national Police Chief Packa flew from Bratislava to Kosice to personally investigate the situation and condemn the event as an isolated incident of misconduct. On April 14, seven policemen were charged with misuse of power, blackmail and conspiracy; six were fired from the police. Kopcik also said that they are investigating an additional four higher-ranking officers' involvement, including the Deputy Director of the Kosice District.

[1](#)4. Kopcik said that the entire investigation was carried out by the Ministry of Interior's internal affairs unit. Once the seven policemen were charged on April 14, the case was transferred to the Prosecutor General's office. Under Slovak law, the charged persons have three days to appeal the charges. The seven policemen filed an appeal with the General Prosecution, and the prosecutorial investigation was temporarily stopped. But those appeals were dismissed by the General Prosecutors office shortly after we met with the

police.

Preliminary Prevention Efforts

15. According to Kopcik, national Police Chief Packa has analyzed why this event occurred and developed several ideas regarding ways the police can work to prevent future abuse. Kopcik said Packa plans to require psychological tests to detect aggression and sensitivity before police officers are hired, and then again every five years. Police training will be reviewed and updated to include more emphasis on working with minority populations, as well as respect for human rights, and supervisors will be required to evaluate their subordinates on respect for human rights.

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Roma Criminality Exasperates Experienced Police

16. Kopcik also pointed out that the Roma victims were part of a gang, and three of the six had multiple instances of criminal activity on their records. Kopcik said that the Slovak police have 1,500 police officers who are considered to be Roma experts, and noted that the Slovaks have trained Scottish police officers from Glasgow who are struggling with criminality among their small but growing Roma population. Kopcik scoffed at NGO attempts to devalue the work of the entire police force due to this incident, and said "this is not a systemic failure, but a short circuit of police who had before done a good job." The six police officers who have been fired each had between ten and twenty years of

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experience.

Activists Doubt Police will Change

17. Sarlota Pufflerova, Director of the Citizens and Democracy NGO, spearheaded an NGO campaign to call for the resignation of Minister of Interior Robert Kalinak, Police Corps President Jan Packa, and Kosice Regional Police Director Juraj Bulkus. The public petition, which received the support of over 30 NGOs and 400 individuals, said that "the circumstances of the case clearly imply that the perpetrators did not consider their conduct as being in conflict with basic legal and moral principles," which is "another proof that serious shortcomings exist that...cannot be removed merely by recalling the police officers involved." Pufflerova said that there has been no governmental reaction to the petition, and that she has thus sent it to the Council of Europe's Commission for the Prevention of Torture.

18. Pufflerova has worked for several years on human rights training curriculum for the Slovak police. With financial support from the local British Embassy, she developed a pilot project for educating police who work in Roma communities, which trained 20 police officers from 2004-2007. In general, Pufflerova lamented the police structure, which provides little continuity and makes it very difficult to implement long-term systematic change. Pufflerova said that from her perspective, the so-called Roma experts have often only attended a day-long lecture on human rights with no interactive training.

Comment

19. We continue to follow the criminal case and express our interest in the investigation and prosecution with the highest levels of the Government. Since the initial media frenzy in early April, there has been very little press

coverage of the follow-up to Slovakia's torture scandal. We were encouraged that after a disappointing meeting with Kopcik, in which he indicated the case was "out of his hands" and temporarily stalled at the General Prosecutor's office, the defendant's appeals were dismissed and the prosecutorial investigation re-energized by the time we met with Centes. Unfortunately, this case has not lead to government-NGO dialogue on reduction of criminality and respect for human rights, but instead appears to have widened the civil society-government divide.

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